

IC 25-8-4

Chapter 4. Cosmetology Licenses; General Provisions

IC 25-8-4-1

Exempt individuals

Sec. 1. The provisions of this article requiring a person to obtain a license do not apply to a person performing cosmetology as a:

- (1) student in a barber school;
- (2) commissioned medical or surgical officer of the United States armed forces;
- (3) chiropractor (as defined by IC 25-10-1-1(2));
- (4) embalmer (as defined by IC 25-15-2-8);
- (5) funeral director (as defined by IC 25-15-2-12);
- (6) registered nurse (as defined by IC 25-23-1-1.1(a));
- (7) licensed practical nurse (as defined by IC 25-23-1-1.2);
- (8) physician (as defined by IC 25-22.5-1-1.1(g));
- (9) podiatrist (as defined by IC 25-29-1-13);
- (10) person conducting an educational activity involving cosmetology at a scheduled meeting of an association that:
 - (A) recognizes a group of its members as cosmetologists; and
 - (B) is not open to persons who are not licensed under this chapter; or
- (11) student in a cosmetology school.

As added by P.L.257-1987, SEC.3. Amended by P.L.33-1993, SEC.17; P.L.236-1995, SEC.6; P.L.84-2010, SEC.37.

IC 25-8-4-2

License reciprocity

Sec. 2. (a) If the board determines that:

- (1) a person possesses a valid license from another jurisdiction to perform acts that require a license under this article; and
- (2) the jurisdiction issuing the license imposes substantially equal requirements on applicants for the license as are imposed on applicants for an Indiana license;

the board may issue a license to perform those acts in Indiana to that person upon payment of the fee required under IC 25-8-13.

(b) This subsection applies only to applications for a cosmetologist license under IC 25-8-9. If the jurisdiction issuing the license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed a minimum of one thousand (1,000) hours of education.

(c) This subsection applies only to applications for a manicurist license under IC 25-8-11. If the jurisdiction issuing a license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the

combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction, as follows:

(1) For an applicant with less than twenty (20) years of actual licensed practice as a manicurist, one (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed at least three hundred (300) hours of education.

(2) For an applicant with twenty (20) or more years of actual licensed practice as a manicurist, one (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed at least one hundred (100) hours of education.

(d) This subsection applies only to applications for an electrologist license under IC 25-8-10. If the jurisdiction issuing a license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice as an electrologist is equal to one hundred (100) hours of education to an applicant who has completed at least two hundred (200) hours of education.

(e) This subsection applies only to applications for an esthetician license under IC 25-8-12.5. If the jurisdiction issuing a license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice as an esthetician is equal to one hundred (100) hours of education to an applicant who has completed at least four hundred (400) hours of education.

(f) This subsection applies only to applications for a beauty culture instructor license under IC 25-8-6. If the jurisdiction issuing a license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice as a beauty culture instructor is equal to one hundred (100) hours of education to an applicant who has completed at least seven hundred (700) hours of education.

(g) This subsection applies only to applications for a barber license under IC 25-8-12.1. If the jurisdiction issuing the license does not impose substantially equivalent requirements as required under subsection (a)(2), the board may approve a combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed at least one thousand (1,000) hours

of education.

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.13; P.L.236-1995, SEC.7; P.L.84-1998, SEC.21; P.L.177-2009, SEC.25; P.L.84-2010, SEC.38.

IC 25-8-4-2.9

Provisional license; cosmetologist

Sec. 2.9. (a) This section applies only to applications for a cosmetologist license under this article.

(b) If an applicant comes from a jurisdiction that does not issue a cosmetologist license, the board may issue an initial provisional license to an applicant who meets the following requirements:

(1) The board finds that the applicant has sufficient training or experience as a cosmetologist.

(2) The applicant has not committed an act that would constitute a violation of the standards of practice under IC 25-1-11.

(3) The applicant pays a fee established by the board under IC 25-1-8.

(c) An applicant who has been granted an initial provisional license must work under the supervision of a licensed cosmetologist.

(d) A person who holds an initial provisional license may apply for renewal of a cosmetologist license under section 19 of this chapter.

(e) The holder of a provisional license may petition the board for the issuance of a cosmetologist license to practice without supervision. The holder of a provisional license who demonstrates to the board that the holder may satisfactorily practice without supervision shall be released from the terms of the provisional license and is entitled to hold a license under IC 25-8-4.

As added by P.L.177-2009, SEC.26.

IC 25-8-4-3

Repealed

(Repealed by P.L.236-1995, SEC.54.)

IC 25-8-4-4

Transfer of license

Sec. 4. A license issued under this article may not be transferred unless:

(1) the license is a cosmetology salon or barber shop license; and

(2) the person holding the license was required to change the location of the cosmetology salon or barber shop by circumstances that the board determines were beyond the control of that person.

As added by P.L.257-1987, SEC.3. Amended by P.L.84-2010, SEC.39.

IC 25-8-4-5

Application

Sec. 5. A person who wishes to obtain a license issued under this article must complete a license application form prescribed by the board and file the application with the secretary of the board.

As added by P.L.257-1987, SEC.3.

IC 25-8-4-6

Verified statement negating misconduct

Sec. 6. The applicant must file with the application described in section 5 of this chapter a verified statement that the applicant has not engaged in activity which would subject the applicant to disciplinary procedures under IC 25-1-11.

As added by P.L.257-1987, SEC.3. Amended by P.L.214-1993, SEC.28.

IC 25-8-4-7

Examinations; time and place

Sec. 7. (a) Each applicant must pass a final practical demonstration examination of the acts permitted by the license. The applicant's cosmetology school or barber school shall administer the final practical demonstration examination.

(b) The board shall conduct a written examination of the applicants for a cosmetologist license and a barber license at least once each month. The board shall conduct a written examination of the applicants for all other licenses issued under this article at least four (4) times each year. The written examinations described in this section:

(1) shall be conducted at the times and places determined by the board; and

(2) may be administered through computer based testing.

As added by P.L.257-1987, SEC.3. Amended by P.L.157-2006, SEC.38; P.L.84-2010, SEC.40.

IC 25-8-4-8

Subjects tested

Sec. 8. The examinations described in section 7 of this chapter must include:

(1) a practical demonstration of the acts permitted by the license; and

(2) a written test concerning the licensed activity, as it is customarily taught in a cosmetology school or barber school.

As added by P.L.257-1987, SEC.3. Amended by P.L.214-1993, SEC.29; P.L.84-2010, SEC.41.

IC 25-8-4-8.5

Repealed

(Repealed by P.L.157-2006, SEC.76.)

IC 25-8-4-9

Issuance of license

Sec. 9. The board shall issue a license to an applicant who:

- (1) receives a minimum grade of seventy-five percent (75%) on both the written and practical examinations described in section 8 of this chapter; and
- (2) complies with the remaining requirements for a license set forth in this article.

As added by P.L.257-1987, SEC.3. Amended by P.L.214-1993, SEC.30.

IC 25-8-4-10

Change of licensee's address; notice

Sec. 10. A person who holds a license issued under this article shall inform the board of a change of address by submitting a written statement that sets forth the current address of the person to the board no later than thirty (30) days following the change.

As added by P.L.257-1987, SEC.3.

IC 25-8-4-11

School license sign; standards

Sec. 11. A person who holds a cosmetology school license or a barber school license shall display a sign that complies with standards prescribed by the board on the premises of that establishment indicating that the establishment is a cosmetology school or barber school licensed under this article.

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.16; P.L.84-2010, SEC.42.

IC 25-8-4-12

Visibility of sign

Sec. 12. The sign described in section 11 of this chapter must be visible to a customer entering the main entrance of the establishment.

As added by P.L.257-1987, SEC.3.

IC 25-8-4-13

Individual license display

Sec. 13. A person who holds any license issued under this chapter except the licenses described in section 11 of this chapter shall display the license in a conspicuous place in that person's work area in the cosmetology salon, cosmetology school, barber shop, or barber school where the person is employed. The license must be clearly visible to a customer of that person who is present in the licensed person's work area.

As added by P.L.257-1987, SEC.3. Amended by P.L.84-2010, SEC.43.

IC 25-8-4-14

Duplicate license; issuance procedure

Sec. 14. The board may issue a duplicate license to a person licensed under this article if the person:

- (1) files a verified statement with the board that the original

license has been lost or destroyed; and
(2) pays the fee required under IC 25-1-8-2.
As added by P.L.257-1987, SEC.3. Amended by P.L.235-1995, SEC.4.

IC 25-8-4-15

Duplicate license registration number

Sec. 15. A duplicate license has the same registration number as the original license issued to that person.
As added by P.L.257-1987, SEC.3.

IC 25-8-4-16

Repealed

(Repealed by P.L.184-1991, SEC.42.)

IC 25-8-4-17

Expiration of license

Sec. 17. (a) Except for an instructor license issued under subsection (d), IC 25-8-6-1, or IC 25-8-6.4, a license issued under this article expires on a date specified by the licensing agency under IC 25-1-6-4 and expires four (4) years after the initial expiration date.

(b) A license issued to an instructor under IC 25-8-6-1 or IC 25-8-6.4 expires at the time that the instructor's practitioner license expires. The board shall renew an instructor's license under this subsection concurrently with the instructor's practitioner license.

(c) Except as provided in IC 25-8-9-11, a person who holds a license under this article may apply for renewal.

(d) Initial provisional licenses are valid for a length of time determined by the board, but not to exceed two (2) years.

As added by P.L.257-1987, SEC.3. Amended by P.L.177-2009, SEC.27; P.L.84-2010, SEC.44.

IC 25-8-4-18

Repealed

(Repealed by P.L.177-2009, SEC.63.)

IC 25-8-4-19

Renewal before expiration

Sec. 19. The board shall renew a license if the license holder pays the fee established by the board under IC 25-1-8-2 to renew the license before the license is to expire.

As added by P.L.257-1987, SEC.3. Amended by P.L.239-1995, SEC.4; P.L.157-2006, SEC.39; P.L.105-2008, SEC.22.

IC 25-8-4-20

Repealed

(Repealed by P.L.105-2008, SEC.67.)

IC 25-8-4-21

Reinstatement procedure following expiration

Sec. 21. (a) Except as provided in IC 25-8-9-11, the board may, upon application, reinstate a license under this article that has been expired for not more than three (3) years if the person holding the license meets the requirements of IC 25-1-8-6(c).

(b) The board may not reinstate a license issued under this article if the person holding the license does not apply for reinstatement not more than three (3) years after the expiration date of the license, unless the person holding the license meets the requirements for reinstatement under IC 25-1-8-6(d).

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.17; P.L.239-1995, SEC.5; P.L.194-2005, SEC.33; P.L.157-2006, SEC.40; P.L.197-2007, SEC.31; P.L.105-2008, SEC.23.

IC 25-8-4-22

Repealed

(Repealed by P.L.197-2007, SEC.94.)

IC 25-8-4-23

Repealed

(Repealed by P.L.197-2007, SEC.94.)

IC 25-8-4-24

Repealed

(Repealed by P.L.197-2007, SEC.94.)

IC 25-8-4-25

Repealed

(Repealed by P.L.197-2007, SEC.94.)

IC 25-8-4-26

Repealed

(Repealed by P.L.197-2007, SEC.94.)

IC 25-8-4-27

Repealed

(Repealed by P.L.105-2008, SEC.67.)

IC 25-8-4-28

Repealed

(Repealed by P.L.105-2008, SEC.67.)

IC 25-8-4-29

Prohibited acts of licensee no longer complying with requirement for issuance of license

Sec. 29. A person holding a license under this chapter may not perform an act authorized by that license if the person knows that the person no longer complies with the requirements for the issuance of the license.

As added by P.L.257-1987, SEC.3.

IC 25-8-4-30

Licensed activity separate from residence

Sec. 30. A person may not engage in any activity licensed under this article in a structure that contains a residence unless the residence:

- (1) is separated from the place where the licensed activity occurs by a substantial floor to ceiling partition; and
- (2) has a separate entry.

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.20.